

CONFERENCE COMMITTEE SUBSTITUTE

FOR

HOUSE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 199

AN ACT

To repeal sections 48.020, 48.030, 50.550, 50.740, 56.640, 67.1775, 135.207, 304.010, 473.730, 558.019, and 559.021, RSMo, and section 67.399, RSMo, as enacted by senate committee substitute for house substitute for house committee for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 67.399, RSMo, as enacted by senate committee substitute for house bill no. 1352, eighty-ninth general assembly, second regular session, and to enact in lieu thereof twenty-two new sections relating to counties, with penalty provisions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Sections 48.020, 48.030, 50.550, 50.740, 56.640,
2 67.1775, 135.207, 304.010, 473.730, 558.019, and 559.021, RSMo,
3 and section 67.399, RSMo, as enacted by senate committee
4 substitute for house substitute for house committee for house
5 bills nos. 977 & 1608, eighty-ninth general assembly, second
6 regular session, and section 67.399, RSMo, as enacted by senate
7 committee substitute for house bill no. 1352, eighty-ninth

1 general assembly, second regular session, are repealed and
2 twenty-two new sections enacted in lieu thereof, to be known as
3 sections 48.020, 48.030, 49.272, 50.550, 50.565, 50.740, 56.640,
4 64.907, 67.399, 67.1775, 67.2000, 67.2015, 135.207, 135.261,
5 190.306, 304.010, 473.730, 644.581, 644.582, 644.583, 558.019,
6 and 559.021, to read as follows:

7 48.020. All counties of this state are hereby classified,
8 for the purpose of establishing organization and powers in
9 accordance with the provisions of section 8, article VI,
10 Constitution of Missouri, into four classifications determined as
11 follows:

12 Classification 1. All counties having an assessed valuation
13 of ~~four hundred fifty~~ six hundred million dollars and over
14 shall automatically be in the first classification after that
15 county has maintained such valuation for the time period required
16 by section 48.030; however, any county of the second
17 classification which, on August 13, 1988, has had an assessed
18 valuation of at least four hundred million dollars for at least
19 one year may, by resolution of the governing body of the county,
20 elect to be classified as a county of the first classification
21 after it has maintained such valuation for the period of time
22 required by the provisions of section 48.030.

23 Classification 2. All counties having an assessed valuation
24 of ~~three~~ four hundred fifty million dollars and less than the
25 assessed valuation necessary for that county to be in the first
26 classification shall automatically be in the second
27 classification after that county has maintained such valuation
28 for the time period required by section 48.030.

1 Classification 3. All counties having an assessed valuation
2 of less than the assessed valuation necessary for that county to
3 be in the second classification shall automatically be in the
4 third classification.

5 Classification 4. All counties which have attained the
6 second classification prior to August 13, 1988, and which would
7 otherwise return to the third classification after August 13,
8 1988, because of changes in assessed valuation shall remain a
9 county in the second classification and shall operate under the
10 laws of this state applying to the second classification.

11 48.030. 1. Other than as otherwise provided for in this
12 section, after September 28, 1979, no county shall move from a
13 lower class to a higher class or from a higher class to a lower
14 class until the assessed valuation of the county is such as to
15 place it in the other class for five successive years[; but,].

16 2. No second class county shall become a third class county
17 until the assessed valuation of the county is such as to place it
18 in the third class for at least five successive years and until
19 the assessed valuations for calendar year 1985 have been entered
20 on the tax rolls of each county in accordance with subsections 6
21 and 7 of section 137.115, RSMo.

22 3. Notwithstanding the provisions of subsection 1 of this
23 section, a county may become a first class county at any time
24 after the assessed valuation of the county is such as to be a
25 first class county and the governing body of the county elect to
26 change classifications. The effective date of such change of
27 classification shall be in accordance with the provisions of this
28 section.

1 4. The change from one classification to another shall
2 become effective at the beginning of the county fiscal year
3 following the next general election after the certification by
4 the state equalizing agency for the required number of successive
5 years that the county possesses an assessed valuation placing it
6 in another class. If a general election is held between the date
7 of the certification and the end of the current fiscal year, the
8 change of classification shall not become effective until the
9 beginning of the county fiscal year following the next succeeding
10 general election.

11 49.272. The county commission of any county of the first
12 classification without a charter form of government and with more
13 than one hundred thirty-five thousand four hundred but less than
14 one hundred thirty-five thousand five hundred inhabitants which
15 has an appointed county counselor and which adopts or has adopted
16 rules, regulations or ordinances under authority of a statute
17 which prescribes or authorizes a violation of such rules,
18 regulations or ordinances to be a misdemeanor punishable as
19 provided by law, may by rule, regulation or ordinance impose a
20 civil fine not to exceed two hundred fifty dollars for each
21 violation. Any fines imposed and collected under such rules,
22 regulations or ordinances shall be payable to the county general
23 fund to be used to pay for the cost of enforcement of such rules,
24 regulations or ordinances.

25 50.550. 1. The annual budget shall present a complete
26 financial plan for the ensuing budget year. It shall set forth
27 all proposed expenditures for the administration, operation and
28 maintenance of all offices, departments, commissions, courts and

1 institutions; the actual or estimated operating deficits or
2 surpluses from prior years; all interest and debt redemption
3 charges during the year and expenditures for capital projects.

4 2. The budget shall contain adequate provisions for the
5 expenditures necessary for the care of insane pauper patients in
6 state hospitals, for the cost of holding elections and for the
7 costs of holding circuit court in the county that are chargeable
8 against the county, for the repair and upkeep of bridges other
9 than on state highways and not in any special road district, and
10 for the salaries, office expenses and deputy and clerical hire of
11 all county officers and agencies.

12 3. In addition, the budget shall set forth in detail the
13 anticipated income and other means of financing the proposed
14 expenditures.

15 4. All receipts of the county for operation and maintenance
16 shall be credited to the general fund, and all expenditures for
17 these purposes shall be charged to this fund; except, that
18 receipts from the special tax levy for roads and bridges shall be
19 kept in a special fund and expenditures for roads and bridges may
20 be charged to the special fund.

21 5. All receipts from the sale of bonds for any purpose
22 shall be credited to the bond fund created for the purpose, and
23 all expenditures for this purpose shall be charged to the fund.
24 All receipts for the retirement of any bond issue shall be
25 credited to a retirement fund for the issue, and all payments to
26 retire the issue shall be charged to the fund. All receipts for
27 interest on outstanding bonds and all premiums and accrued
28 interest on bonds sold shall be credited to the interest fund,

1 and all payments of interest on the bonds shall be charged to the
2 interest fund.

3 6. Subject to the provisions of section 50.565 the county
4 commission may create a fund to be known as "The County
5 Crime Reduction Fund".

6 7. The county commission may create other funds as are
7 necessary from time to time.

8 50.565. 1. A county commission may establish by ordinance
9 or order a fund whose proceeds may be expended only for the
10 purposes provided for in subsection 3 of this section. The fund
11 shall be designated as a county crime reduction fund and shall be
12 under the supervision of a board of trustees consisting of one
13 citizen of the county appointed by the presiding commissioner of
14 the county, one citizen of the county appointed by the sheriff of
15 the county, and one citizen of the county appointed by the county
16 prosecuting attorney.

17 2. Money from the county crime reduction fund shall only be
18 expended upon the approval of a majority of the members of the
19 county crime reduction fund's board of trustees and only for the
20 purposes provided for by subsection 3 of this section.

21 3. Money from the county crime reduction fund shall only be
22 expended for the following purposes:

23 (1) Narcotics investigation, prevention, and intervention;

24 (2) Purchase of law enforcement related equipment and
25 supplies for the sheriff's office;

26 (3) Matching funds for federal or state law enforcement
27 grants;

28 (4) Funding for the reporting of all state and federal

1 crime statistics or information; and

2 (5) Any law enforcement related expense, including those of
3 the prosecuting attorney, approved by the board of trustees for
4 the county crime reduction fund that is reasonably related to
5 investigation, preparation, trial, and disposition of criminal
6 cases before the courts of the state of Missouri.

7 4. The county commission may not reduce any law enforcement
8 agency's budget as a result of funds the law enforcement agency
9 receives from the county crime reduction fund. The crime
10 reduction fund is to be used only as a supplement to the law
11 enforcement agency's funding received from other county, state,
12 or federal funds.

13 5. County crime reduction funds shall be audited as are all
14 other county funds.

15 50.740. 1. It is hereby made the first duty of the county
16 commission in counties of classes three and four at its regular
17 February term to go over the estimates and revise and amend the
18 same in such way as to promote efficiency and economy in county
19 government. The commission may alter or change any estimate as
20 public interest may require and to balance the budget, first
21 giving the person preparing supporting data an opportunity to be
22 heard. After the county commission shall have revised the
23 estimate it shall be the duty of the clerk of said commission
24 forthwith to enter such revised estimate on the record of the
25 said commission and the commission shall forthwith enter thereon
26 its approval.

27 2. The county clerk shall within five days after the date
28 of approval of such budget estimate, file a certified copy

1 thereof with the county treasurer, taking [his] a receipt
2 therefor, and [he] shall also forward a certified copy thereof to
3 the state auditor by registered mail. The county treasurer shall
4 not pay nor enter protest on any warrant except payroll for the
5 current year until such budget estimate shall have been so filed.
6 If any county treasurer shall pay or enter for protest any
7 warrant except payroll before the budget estimate shall have been
8 filed, as by sections 50.525 to 50.745 provided, [he] the county
9 treasurer shall be liable on [his] the official bond for such
10 act. Immediately upon receipt of the estimated budget the state
11 auditor shall send to the county clerk [his] the receipt therefor
12 by registered mail.

13 3. Any order of the county commission of any county
14 authorizing [and/or] or directing the issuance of any warrant
15 contrary to any provision of this law shall be void and of no
16 binding force or effect; and any county clerk, county treasurer,
17 or other officer participating in the issuance or payment of any
18 such warrant shall be liable therefor upon [his] the official
19 bond.

20 56.640. 1. If a county counselor is appointed, he and his
21 assistants under his direction shall represent the county and all
22 departments, officers, institutions and agencies thereof, except
23 as otherwise provided by law and shall upon request of any county
24 department, officer, institution or agency for which legal
25 counsel is otherwise provided by law, and upon the approval of
26 the county commission, represent such department, officer,
27 institution or agency. He shall commence, prosecute or defend,
28 as the case may require, and exercise exclusive authority in all

1 civil suits or actions in which the county or any county officer,
2 commission or agency is a party, in his or its official capacity,
3 he shall draw all contracts relating to the business of the
4 county, he shall represent the county generally in all matters of
5 civil law, and he shall upon request furnish written opinions to
6 any county officer or department.

7 2. In all cases in which a civil fine may be imposed
8 pursuant to section 49.272, RSMo, it shall be the duty of the
9 county counselor, rather than the county prosecuting attorney, to
10 prosecute such violations in the associate division of the
11 circuit court in the county where the violation occurred.

12 3. Notwithstanding any law to the contrary, the county
13 counselor in any county of the first classification and the
14 prosecuting attorney of such county may by mutual cooperation
15 agreement prosecute or defend any civil action which the
16 prosecuting attorney or county counselor of the county is
17 authorized or required by law to prosecute or defend.

18 64.907. 1. Any county subject to Environmental Protection
19 Agency rules 40 C.F.R. Parts 9, 122, 123, and 124 concerning
20 storm water discharges is authorized to adopt rules, regulations,
21 or ordinances reasonably necessary to comply with such federal
22 regulations including but not limited to rules, regulations, or
23 ordinances which promote the best storm water management
24 practices in regulating storm water discharges established by the
25 Environmental Protection Agency.

26 2. Any county adopting rules, regulations, or ordinances
27 under subsection 1 of this section is authorized to establish by
28 rule, regulation, or ordinance a storm water control utility or

1 other entity to administer any such rules, regulations, or
2 ordinances adopted under subsection 1 of this section which shall
3 include authority to impose user fees to fund the administration
4 of such rules, regulations, or ordinances.

5 3. Any county adopting rules, regulations, or ordinances
6 under subsection 1 of this section is authorized to establish by
7 rule, regulation, or ordinance a storm water control utility tax
8 in such amount as is deemed reasonable and necessary to fund
9 public storm water control projects if such tax is approved by
10 majority of the votes cast.

11 4. The tax authorized in this section shall be in addition
12 to the charge for the storm water control and all other taxes
13 imposed by law, and the proceeds of such tax shall be used by the
14 city solely for storm water control. Such tax shall be stated
15 separately from all other charges and taxes.

16 5. The ballot of submission for the tax authorized in this
17 section shall be in substantially the following form:

18 Shall (insert the name of the county) impose a tax on
19 the charges for storm water control in (name of county) at
20 a rate of (insert rate of percent) percent for the sole
21 purpose of storm water control?

22 ☐ YES

☐ NO

23 If a majority of the votes cast on the question by the qualified
24 voters voting thereon are in favor of the question, then the tax
25 shall become effective on the first day of the second calendar
26 quarter following the calendar quarter in which the election was
27 held. If a majority of the votes cast on the question by the
28 qualified voters voting thereon are opposed to the question, then

1 the tax authorized by this section shall not become effective
2 unless and until the question is resubmitted pursuant to this
3 section to the qualified voters of the county and such question
4 is approved by a majority of the qualified voters of the county
5 voting on the question.

6 67.399. 1. The governing body of any municipality or
7 county with a charter form of government and with more than one
8 million inhabitants may, by ordinance, establish a semiannual
9 registration fee not to exceed two hundred dollars which shall be
10 charged to the owner of any parcel of residential property
11 improved by a residential structure, or commercial property
12 improved by a structure containing multiple dwelling units, that
13 is vacant, has been vacant for at least six months, and is
14 characterized by violations of applicable housing codes
15 established by such municipality.

16 2. The municipality shall designate a municipal officer to
17 investigate any property that may be subject to the registration
18 fee. The officer shall report his findings and recommendations,
19 and shall determine whether any such property shall be subject to
20 the registration fee. Within five business days, the clerk of
21 the municipality or county with a charter form of government and
22 with more than one million inhabitants shall notify by mail the
23 owners of property on which the registration fee has been levied
24 at their last known address according to the records of the city
25 and the county. The property owner shall have the right to
26 appeal the decision of the office to the municipal court within
27 thirty days of such notification. Absent the existence of any
28 valid appeal or request for reconsideration pursuant to

1 subsection 3 of this section, the registration fee shall begin to
2 accrue on the beginning of the second calendar quarter after the
3 decision of the municipal officer.

4 3. Within thirty days of the municipality or county with a
5 charter form of government and with more than one million
6 inhabitants making such notification, the property owner may
7 complete any improvements to the property that may be necessary
8 to revoke the levy of the registration fee, and then may request
9 a reinspection of the property and a reconsideration of the levy
10 of the registration fee by the municipality or county with a
11 charter form of government and with more than one million
12 inhabitants. If the municipal or county officer revokes the
13 registration fee, no such assessment shall be made and the matter
14 shall be considered closed. If the [municipal] officer affirms
15 the assessment of the registration fee, the property owner shall
16 have the right to appeal the reconsideration decision of the
17 [municipal] officer to the municipal court within thirty days of
18 such decision. Absent the existence of any valid appeal to the
19 municipal court or other court of competent jurisdiction, the
20 registration fee shall begin to accrue on the beginning of the
21 second calendar quarter after the reconsideration decision of the
22 municipal governing body.

23 4. The municipal governing body shall establish by
24 ordinance procedures for payment of the registration fee and
25 penalties for delinquent payments of such fees. Any registration
26 fees which are delinquent for a period of one year shall become a
27 lien on the property and shall be subject to foreclosure
28 proceedings in the same manner as delinquent real property taxes.

1 The owner of the property against which the assessment was
2 originally made shall be able to redeem the property only by
3 presenting evidence that the violations of the applicable housing
4 code cited by the municipal or county officers have been cured
5 and presenting payment of all registration fees and penalties.
6 Upon bona fide sale of the property to an unrelated party said
7 lien shall be considered released and the delinquent registration
8 fee forgiven.

9 67.1775. 1. The governing body of a city not within a
10 county, or any county of [the first classification with a charter
11 form of government with a population not less than nine hundred
12 thousand inhabitants, or any county of the first classification
13 with a charter form of government with a population not less than
14 two hundred thousand inhabitants and not more than six hundred
15 thousand inhabitants, or any noncharter county of the first
16 classification with a population not less than one hundred
17 seventy thousand and not more than two hundred thousand
18 inhabitants, or any noncharter county of the first classification
19 with a population not less than eighty thousand and not more than
20 eighty-three thousand inhabitants, or any third classification
21 county with a population not less than twenty-eight thousand and
22 not more than thirty thousand inhabitants, or any county of the
23 third classification with a population not less than nineteen
24 thousand five hundred and not more than twenty thousand
25 inhabitants] this state may, after voter approval pursuant to
26 this section, levy a sales tax not to exceed one-quarter of a
27 cent in the county for the purpose of providing services
28 described in section 210.861, RSMo, including counseling, family

1 support, and temporary residential services to persons nineteen
2 years of age or less. The question shall be submitted to the
3 qualified voters of the county at a county or state general,
4 primary or special election upon the motion of the governing body
5 of the county or upon the petition of eight percent of the
6 qualified voters of the county determined on the basis of the
7 number of votes cast for governor in such county at the last
8 gubernatorial election held prior to the filing of the petition.
9 The election officials of the county shall give legal notice as
10 provided in chapter 115, RSMo. The question shall be submitted
11 in substantially the following form:

12 Shall County be authorized to levy a sales tax
13 of (not to exceed one-quarter of a cent) in the
14 county for the purpose of establishing a community children's
15 services fund for the purpose of providing services to protect
16 the well-being and safety of children and youth nineteen years of
17 age or less and to strengthen families?

18 ☐ Yes

☐ No

19 If a majority of the votes cast on the question by the qualified
20 voters voting thereon are in favor of the question, then the tax
21 shall be levied and collected as otherwise provided by law. If a
22 majority of the votes cast on the question by the qualified
23 voters voting thereon are opposed to the question, then the tax
24 shall not be levied unless and until the question is again
25 submitted to the qualified voters of the county and a majority of
26 such voters are in favor of such a tax, and not otherwise.

27 2. All revenues generated by the tax prescribed in this
28 section shall be deposited in the county treasury to the credit

1 of a special "Community Children's Services Fund". Such fund
2 shall be administered by a board of directors, established
3 pursuant to section 210.861, RSMo.

4 67.2000. 1. This section shall be known as the "Exhibition
5 Center and Recreational Facility District Act".

6 2. Whenever not less than fifty owners of real property
7 located within any county of the first classification with more
8 than thirty-seven thousand but less than thirty-seven thousand
9 one hundred inhabitants, or any county of the third
10 classification without a township form of government and with
11 more than twenty-three thousand five hundred but less than
12 twenty-three thousand six hundred inhabitants, or any county of
13 the third classification without a township form of government
14 and with more than nineteen thousand three hundred but less than
15 nineteen thousand four hundred inhabitants, or any county of the
16 first classification with more than eighty-five thousand nine
17 hundred but less than eighty-six thousand inhabitants, or any
18 county of the first classification without a charter form of
19 government and with more than one hundred four thousand six
20 hundred but less than one hundred four thousand seven hundred
21 inhabitants, or any county of the second classification with more
22 than fifty-two thousand six hundred but less than fifty-two
23 thousand seven hundred inhabitants, or any county of the first
24 classification without a charter form of government and with more
25 than one hundred ninety-eight thousand but less than one hundred
26 ninety-nine thousand two hundred inhabitants desire to create an
27 exhibition center and recreational facility district, the
28 property owners shall file a petition with the governing body of

1 each county located within the boundaries of the proposed
2 district requesting the creation of the district. The district
3 boundaries may include all or part of the counties described in
4 this section. The petition shall contain the following
5 information:

6 (1) The name and residence of each petitioner and the
7 location of the real property owned by the petitioner;

8 (2) A specific description of the proposed district
9 boundaries, including a map illustrating the boundaries; and

10 (3) The name of the proposed district.

11 3. Upon the filing of a petition pursuant to this section,
12 the governing body of any county described in this section may,
13 by resolution, approve the creation of a district. Any
14 resolution to establish such a district shall be adopted by the
15 governing body of each county located within the proposed
16 district, and shall contain the following information:

17 (1) A description of the boundaries of the proposed
18 district;

19 (2) The time and place of a hearing to be held to consider
20 establishment of the proposed district;

21 (3) The proposed sales tax rate to be voted on within the
22 proposed district; and

23 (4) The proposed uses for the revenue generated by the new
24 sales tax.

25 4. Whenever a hearing is held as provided by this section,
26 the governing body of each county located within the proposed
27 district shall:

28 (1) Publish notice of the hearing on two separate occasions

1 in at least one newspaper of general circulation in each county
2 located within the proposed district, with the first publication
3 to occur not more than thirty days before the hearing, and the
4 second publication to occur not more than fifteen days nor less
5 than ten days before the hearing;

6 (2) Hear all protests and receive evidence for or against
7 the establishment of the proposed district; and

8 (3) Rule upon all protests, which determinations shall be
9 final.

10 5. If the governing body of each county located within the
11 proposed district following the hearing decides to establish the
12 proposed district, it shall adopt an order to that effect. The
13 order shall contain the following:

14 (1) The description of the boundaries of the district;

15 (2) A statement that an exhibition center and recreational
16 facility district has been established;

17 (3) The name of the district;

18 (4) The uses for any revenue generated by a sales tax
19 imposed pursuant to this section; and

20 (5) A declaration that the district is a political
21 subdivision of the state.

22 6. There is hereby created a board of trustees to
23 administer any district created and the expenditure of revenue
24 generated pursuant to this section, consisting of no more than
25 twelve members. After adoption of the order creating the
26 district, the governing body of each county located within the
27 district shall appoint four residents of the portion of the
28 district within the county to represent the district on the board

1 of trustees. Each trustee shall be at least twenty-five years of
2 age. Of the initial trustees appointed, two shall hold office
3 for two years, and two shall hold office for four years.
4 Trustees appointed after expiration of the initial terms shall be
5 appointed to a four-year term by the governing body of the county
6 the trustee represents, with the initially appointed trustee to
7 remain in office until a successor is appointed, and shall take
8 office upon being appointed. Each trustee may be reappointed.
9 Vacancies shall be filled in the same manner in which the trustee
10 vacating the office was originally appointed. The trustees shall
11 not receive compensation for their services, but may be
12 reimbursed for their actual and necessary expenses. The board
13 shall elect a chair and other officers necessary for its
14 membership.

15 7. The board of trustees shall have the following powers,
16 authority, and privileges:

- 17 (1) To have and use a corporate seal;
18 (2) To sue and be sued, and be a party to suits, actions,
19 and proceedings;
20 (3) To enter into contracts, franchises, and agreements
21 with any person or entity, public or private, affecting the
22 affairs of the district, including contracts with any
23 municipality, district, or state, or the United States, and any
24 of their agencies, political subdivisions, or instrumentalities,
25 for the funding, including without limitation interest rate
26 exchange or swap agreements, planning, development, construction,
27 acquisition, maintenance, or operation of an exhibition center
28 and recreational facilities or to assist in such activity;

1 (4) To borrow money and incur indebtedness and evidence the
2 same by certificates, notes, or debentures, to issue bonds and
3 use any one or more lawful funding methods the district may
4 obtain for its purposes at such rates of interest as the district
5 may determine. Any bonds, notes, and other obligations issued or
6 delivered by the district may be secured by mortgage, pledge, or
7 deed of trust of any or all of the property and income of the
8 district. The district shall not mortgage, pledge, or give a
9 deed of trust on any real property or interests which it obtained
10 or acquired from the state or any agency or political subdivision
11 thereof. Every issue of such bonds, notes, or other obligations
12 shall be payable out of property and revenues of the district,
13 and may be further secured by other property of the district
14 which may be pledged, assigned, mortgaged, or a security interest
15 granted for such payment, without preference or priority of the
16 first bonds issued, subject to any agreement with the holders of
17 any other bonds pledging any specified property or revenues.
18 Such bonds, notes, or other obligations shall be authorized by
19 resolution of the district board, and shall bear such date or
20 dates, and shall mature at such time or times, but not in excess
21 of thirty years, as the resolution shall specify. Such bonds,
22 notes, or other obligations shall be in such denomination, bear
23 interest at such rate or rates, be in such form, either coupon or
24 registered, be issued as current interest bonds, compound
25 interest bonds, variable rate bonds, convertible bonds, or zero
26 coupon bonds, be issued in such manner, be payable in such place
27 or places, and be subject to redemption as such resolution may
28 provide, notwithstanding section 108.170, RSMo. The bonds,

1 notes, or other obligations may be sold at either public or
2 private sale, at such interest rates, and at such price or prices
3 as the district shall determine;

4 (5) To acquire, transfer, donate, lease, exchange,
5 mortgage, and encumber real and personal property in furtherance
6 of district purposes;

7 (6) To refund any bonds, notes, or other obligations of the
8 district without an election. The terms and conditions of
9 refunding obligations shall be substantially the same as those of
10 the original issue, and the board shall provide for the payment
11 of interest at not to exceed the legal rate, and the principal of
12 such refunding obligations in the same manner as is provided for
13 the payment of interest and principal of obligations refunded;

14 (7) To have the management, control, and supervision of all
15 the business and affairs of the district, and the construction,
16 installation, operation, and maintenance of district improvements
17 therein; to collect rentals, fees, and other charges in
18 connection with its services or for the use of any of its
19 facilities;

20 (8) To hire and retain agents, employees, engineers, and
21 attorneys;

22 (9) To receive and accept by bequest, gift, or donation any
23 kind of property;

24 (10) To adopt and amend bylaws and any other rules and
25 regulations not in conflict with the constitution and laws of
26 this state, necessary for the carrying on of the business,
27 objects, and affairs of the board and of the district; and

28 (11) To have and exercise all rights and powers necessary

1 or incidental to or implied from the specific powers granted
2 herein.

3 8. A district established pursuant to this section may, at
4 a general, primary, or special election, submit to the qualified
5 voters within the district boundaries a sales tax not to exceed
6 one-half of one percent on all retail sales within the district
7 which are subject to taxation pursuant to sections 144.010 to
8 144.525, RSMo, to fund the acquisition, construction,
9 maintenance, operation, improvement, and promotion of an
10 exhibition center and recreational facilities. The ballot of
11 submission shall be in substantially the following form:

12 Shall the (name of district) impose a sales tax
13 of (insert rate) to fund the acquisition,
14 construction, maintenance, operation, improvement, and promotion
15 of an exhibition center and recreational facilities?

16 ☐ YES

☐ NO

17 If you are in favor of the question, place an "X" in the box
18 opposite "YES". If you are opposed to the question, place an "X"
19 in the box opposite "NO".

20 If a majority of the votes cast favor the proposal, then the
21 sales tax shall become effective on the first day of the second
22 calendar quarter immediately following the election. If a
23 majority of the votes cast oppose the proposal, then the district
24 shall not impose the sales tax authorized in this section until
25 after the district has submitted another such sales tax proposal
26 and the proposal is approved by a majority of the qualified
27 voters voting thereon. However, if a sales tax proposal is not
28 approved, the district shall not resubmit a proposal to the

1 voters pursuant to this section sooner than twelve months from
2 the date of the last proposal submitted pursuant to this section.

3 9. There is hereby created the "Exhibition Center and
4 Recreational Facility District Sales Tax Trust Fund", which shall
5 consist of all revenue collected pursuant to this section. The
6 director of revenue shall be custodian of the trust fund, and
7 moneys in the trust fund shall be used solely for the purposes
8 authorized in this section. Moneys in the trust fund shall be
9 considered nonstate funds pursuant to section 15, article IV,
10 Constitution of Missouri. The director of revenue shall invest
11 moneys in the trust fund in the same manner as other funds are
12 invested. Any interest and moneys earned on such investments
13 shall be credited to the trust fund. All sales taxes collected
14 by the director of revenue pursuant to this section on behalf of
15 the district, less one percent for the cost of collection which
16 shall be deposited in the state's general revenue fund after
17 payment of premiums for surety bonds as provided in section
18 32.087, RSMo, shall be deposited in the trust fund. The director
19 of revenue shall keep accurate records of the amount of moneys in
20 the trust fund which was collected in the district imposing a
21 sales tax pursuant to this section, and the records shall be open
22 to the inspection of the officers of each district and the
23 general public. Not later than the tenth day of each month, the
24 director of revenue shall distribute all moneys deposited in the
25 trust fund during the preceding month to the district. The
26 director of revenue may authorize refunds from the amounts in the
27 trust fund and credited to the district for erroneous payments
28 and overpayments made, and may redeem dishonored checks and

drafts deposited to the credit of the district.

10. The sales tax authorized by this section is in addition to all other sales taxes allowed by law. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, apply to the sales tax imposed pursuant to this section.

11. Any sales tax imposed pursuant to this section shall reduce to a rate of one-tenth of one percent twenty-five years from the effective date of the sales tax unless an extension of the sales tax is submitted to and approved by the qualified voters in each district in the manner provided in this section. Each extension of the sales tax shall be for a period not to exceed twenty years. The ballot of submission for the extension shall be in substantially the following form:

Shall the (name of district) extend the sales tax of (insert rate) for a period of (insert number of years) years to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast favor the extension, then the sales tax shall remain in effect at the rate and for the time period approved by the voters. If a majority of the votes cast oppose the extension, then the district shall reduce the sales tax rate to one-tenth of one percent. If a sales tax extension is not approved, the district may submit another sales tax

1 proposal as authorized in this section, but the district shall
2 not submit such a proposal to the voters sooner than twelve
3 months from the date of the last extension submitted.

4 12. Once the sales tax authorized by this section is
5 abolished or terminated by any means, all funds remaining in the
6 trust fund shall be used solely for the purposes approved in the
7 ballot question authorizing the sales tax. The sales tax shall
8 not be abolished or terminated while the district has any
9 financing or other obligations outstanding. Any funds in the
10 trust fund which are not needed for current expenditures may be
11 invested by the district in the securities described in
12 subdivisions (1) to (12) of subsection 1 of section 30.270, RSMo,
13 or repurchase agreements secured by such securities. If the
14 district abolishes the sales tax, the district shall notify the
15 director of revenue of the action at least ninety days before the
16 effective date of the repeal, and the director of revenue may
17 order retention in the trust fund, for a period of one year, of
18 two percent of the amount collected after receipt of such notice
19 to cover possible refunds or overpayment of the sales tax and to
20 redeem dishonored checks and drafts deposited to the credit of
21 such accounts. After one year has elapsed after the effective
22 date of abolition of the sales tax in the district, the director
23 of revenue shall remit the balance in the account to the district
24 and close the account of the district. The director of revenue
25 shall notify the district of each instance of any amount refunded
26 or any check redeemed from receipts due the district.

27 13. In the event that the district is dissolved or
28 terminated by any means, the governing bodies of the counties in

1 the district shall appoint a person to act as trustee for the
2 district so dissolved or terminated. Before beginning the
3 discharge of duties, the trustee shall take and subscribe an oath
4 to faithfully discharge the duties of the office, and shall give
5 bond with sufficient security, approved by the governing bodies
6 of the counties, to the use of the dissolved or terminated
7 district, for the faithful discharge of duties. The trustee
8 shall have and exercise all powers necessary to liquidate the
9 district, and upon satisfaction of all remaining obligations of
10 the district, shall pay over to the county treasurer of each
11 county in the district and take receipt for all remaining moneys
12 in amounts based on the ratio the levy of each county bears to
13 the total levy for the district in the previous three years or
14 since the establishment of the district, whichever time period is
15 shorter. Upon payment to the county treasurers, the trustee
16 shall deliver to the clerk of the governing body of any county in
17 the district all books, papers, records, and deeds belonging to
18 the dissolved district.

19 14. After August 28, 2003, any county of the first
20 classification with more than one hundred thirty-five thousand
21 four hundred but less than one hundred thirty-five thousand five
22 hundred inhabitants may create a district in any unincorporated
23 area of the county, or in any incorporated area of the county
24 upon approval of the governing body of the incorporated area by
25 ordinance, pursuant to this section upon the filing of the
26 required petition signed by all of the owners of property within
27 the proposed district with the governing body of the county and
28 upon unanimous approval of all owners of property within the

1 district of the order creating the district and the proposed
2 sales tax ballot question. In the event that any county creates
3 a district pursuant to this subsection, and no registered voters
4 reside within the boundaries of the district, the proposed sales
5 tax ballot question and the extension of the sales tax authorized
6 by this section shall be submitted to the qualified voters of the
7 county.

8 67.2015. 1. The governing body of any county of the third
9 classification without a township form of government and with
10 more than eight thousand three hundred but less than eight
11 thousand four hundred inhabitants may impose, by ordinance or
12 order, a surcharge on the sale of each ticket or other charge
13 allowing admission to or participation in any private tourist
14 attraction and on the daily rental of rooms or accommodations
15 paid by transient guests of hotels, motels or campgrounds, as
16 defined in section 94.802, RSMo, in such county, at a rate not to
17 exceed five percent of such admission or amount. For purposes of
18 this section, "private tourist attraction" means:

19 (1) Organized trail rides; and

20 (2) Canoe rentals.

21 Attractions operating on an occasional or intermittent basis for
22 fund-raising purposes by nonprofit charitable organizations whose
23 ordinary activities do not involve the operation of such
24 attractions shall be exempt from the surcharge imposed by this
25 section.

26 2. Every retailer, vendor, operator, and other person who
27 sells goods and services subject to the surcharge imposed
28 pursuant to this section shall be liable and responsible for the

1 payment of surcharges due and shall make a return and remit such
2 surcharges to the county, at such times and in such manner as the
3 governing body of the county shall prescribe. The collection of
4 the surcharges imposed by this section shall be computed in
5 accordance with schedules or systems approved by the governing
6 body of the county.

7 3. All surcharges authorized and collected under this
8 section shall be deposited by the county in a special trust fund
9 to be known as the "County Tourism Surcharge Trust Fund". The
10 moneys in such fund shall not be commingled with any funds of the
11 county. Moneys in the fund shall be used solely by the county
12 for the promotion of tourism within the county. The surcharge
13 authorized by this section shall be in addition to any and all
14 other taxes allowed by law, but no order imposing a surcharge
15 pursuant to this section shall be effective unless the governing
16 body of the county submits to the voters of the county at a
17 county or state general, primary, or special election a proposal
18 to authorize the governing body of the county to impose such
19 surcharge.

20 4. The ballot of submission shall contain, but need not be
21 limited to:

22 Shall the county of (insert
23 name of county) impose a surcharge of (insert rate of tax)
24 percent on the sales, charges or admissions on all hotels, motels
25 or campgrounds rented for thirty days or less, and on the sales,
26 charges or admissions to all private tourist attractions in the
27 county?

28 ☐ YES

☐ NO

1 If a majority of the votes cast on the proposal by the qualified
2 voters voting thereon are in favor of the proposal, then the
3 order imposing the surcharge shall be effective. If a majority
4 of the votes cast by the qualified voters voting on the proposal
5 are opposed to the proposal, then the governing body of the
6 county shall have no power to impose the surcharge authorized in
7 this section unless and until the governing body of the county
8 again submits another proposal to authorize the governing body of
9 the county to impose the surcharge authorized by this section,
10 and such proposal is approved by the requisite majority of the
11 qualified voters voting thereon.

12 5. The surcharge authorized by this section shall become
13 effective within ninety days from the date such surcharges are
14 approved by the voters of the county pursuant to this section.
15 After the effective date of any surcharge imposed by this
16 section, the county shall perform all functions incident to the
17 administration, collection, enforcement, and operation of the
18 surcharge. The surcharge imposed by this section shall be
19 reported upon such forms as may be prescribed by the governing
20 body of the county.

21 135.207. 1. (1) Any city with a population of at least
22 three hundred fifty thousand inhabitants which is located in more
23 than one county and any city not within a county, which includes
24 an existing state designated enterprise zone within the corporate
25 limits of the city may each, upon approval of the local governing
26 authority of the city and the director of the department of
27 economic development, designate up to three satellite zones
28 within its corporate limits. A prerequisite for the designation

1 of a satellite zone shall be the approval by the director of a
2 plan submitted by the local governing authority of the city
3 describing how the satellite zone corresponds to the city's
4 overall enterprise zone strategy.

5 (2) Any Missouri community classified as a village whose
6 borders lie adjacent to a city with a population in excess of
7 three hundred fifty thousand inhabitants as described in
8 subdivision (1) of this subsection, and which has within the
9 corporate limits of the village a factory, mining operation,
10 office, mill, plant or warehouse which has at least three
11 thousand employees and has an investment in plant, machinery and
12 equipment of at least two hundred million dollars may, upon
13 securing approval of the director and the local governing
14 authorities of the village and the adjacent city which contains
15 an existing state designated enterprise zone, designate one
16 satellite zone to be located within the corporate limits of the
17 village, such zone to be in addition to the six authorized in
18 subdivision (1) of this subsection.

19 (3) Any geographical area partially contained within any
20 city not within a county and partially contained within any
21 county of the first classification with a charter form of
22 government with a population of nine hundred thousand or more
23 inhabitants, which area is comprised of a total population of at
24 least four thousand inhabitants but not more than seventy- two
25 thousand inhabitants, and which area consists of at least one
26 fourth class city, and has within its boundaries a military
27 reserve facility and a utility pumping station having a capacity
28 of ten million cubic feet, may, upon securing approval of the

1 director and the appropriate local governing authorities as
2 provided for in section 135.210, be designated as a satellite
3 zone, such zone to be in addition to the six authorized in
4 subdivision (1) of this subsection.

5 2. For satellite zones designated pursuant to the
6 provisions of subdivisions (1) and (3) of subsection 1 of this
7 section, the satellite zones, in conjunction with the existing
8 state-designated enterprise zone shall meet the following
9 criteria:

10 (1) The area is one of pervasive poverty, unemployment, and
11 general distress, or one in which a large number of jobs have
12 been lost, a large number of employers have closed, or in which a
13 large percentage of available production capacity is idle. For
14 the purpose of this subdivision, "large number of jobs" means one
15 percent or more of the area's population according to the most
16 recent decennial census, and "large number of employers" means
17 over five;

18 (2) At least fifty percent of the residents living in the
19 area have incomes below eighty percent of the median income of
20 all residents within the state of Missouri according to the last
21 decennial census or other appropriate source as approved by the
22 director;

23 (3) The resident population of the existing state
24 designated enterprise zone and its satellite zones must be at
25 least four thousand but not more than seventy-two thousand at the
26 time of designation;

27 (4) The level of unemployment of persons, according to the
28 most recent data available from the division of employment

1 security or from the United States Bureau of Census and approved
2 by the director, within the area exceeds one and one-half times
3 the average rate of unemployment for the state of Missouri over
4 the previous twelve months, or the percentage of area residents
5 employed on a full-time basis is less than sixty percent of the
6 statewide percentage of residents employed on a full-time basis.

7 3. A qualified business located within a satellite zone
8 shall be subject to the same eligibility criteria and can be
9 eligible to receive the same benefits as a qualified facility in
10 sections 135.200 to 135.255.

11 4. In addition to all other satellite zones authorized in
12 this section, in any county with a charter form of government and
13 with more than six hundred thousand but less than seven hundred
14 thousand inhabitants which includes an existing state designated
15 enterprise zone, the department of economic development shall
16 designate an area within the county as a satellite zone upon
17 approval of the governing authority of the county and the
18 director of the department of economic development. No satellite
19 zone shall be designated pursuant to this subdivision until the
20 governing authority of the county submits a plan describing how
21 the satellite zone corresponds to the county's overall enterprise
22 zone strategy and the director approves the plan.

23 135.261. In addition to all other enterprise zones
24 authorized in this chapter, the department of economic
25 development shall designate one such zone in any county of the
26 third classification without a township form of government and
27 with more than thirty-two thousand five hundred but less than
28 thirty-two thousand six hundred inhabitants. Such enterprise

1 zone designation shall only be made if such area which is to be
2 included in the enterprise zone meets all the requirements of
3 section 135.205.

4 190.306. No provision in this chapter shall be construed to
5 require any municipality within any county of the third
6 classification without a township form of government and with
7 more than fifty-four thousand two hundred but less than
8 fifty-four thousand three hundred inhabitants that has
9 established an emergency telephone service to dissolve the
10 service in the event that the county in which the municipality is
11 located establishes an emergency telephone service and moves to a
12 higher county classification.

13 304.010. 1. As used in this section, the following terms
14 mean:

15 (1) "Expressway", a divided highway of at least ten miles
16 in length with four or more lanes which is not part of the
17 federal interstate system of highways which has crossovers or
18 accesses from streets, roads or other highways at the same grade
19 level as such divided highway;

20 (2) "Freeway", a limited access divided highway of at least
21 ten miles in length with four or more lanes which is not part of
22 the federal interstate system of highways which does not have any
23 crossovers or accesses from streets, roads or other highways at
24 the same grade level as such divided highway within such ten
25 miles of divided highway;

26 (3) "Rural interstate", that part of the federal interstate
27 highway system that is not located in an urban area;

28 (4) "Urbanized area", an area of fifty thousand population

1 at a density at or greater than one thousand persons per square
2 mile.

3 2. Except as otherwise provided in this section, the
4 uniform maximum speed limits are and no vehicle shall be operated
5 in excess of the speed limits established pursuant to this
6 section:

7 (1) Upon the rural interstates and freeways of this state,
8 seventy miles per hour;

9 (2) Upon the rural expressways of this state, sixty-five
10 miles per hour;

11 (3) Upon the interstate highways, freeways or expressways
12 within the urbanized areas of this state, sixty miles per hour;

13 (4) All other roads and highways in this state not located
14 in an urbanized area and not provided for in subdivisions (1) to
15 (3) of this subsection, sixty miles per hour;

16 (5) All other roads provided for in subdivision (4) of this
17 subsection shall not include any state two-lane road which is
18 identified by letter. Such lettered roads shall not exceed
19 fifty-five miles per hour unless set at a higher speed as
20 established by the department of transportation, except that no
21 speed limit shall be set higher than sixty miles per hour;

22 (6) For the purposes of enforcing the speed limit laws of
23 this state, it is a rebuttable presumption that the posted speed
24 limit is the legal speed limit.

25 3. On any state road or highway where the speed limit is
26 not set pursuant to a local ordinance, the highways and
27 transportation commission may set a speed limit higher or lower
28 than the uniform maximum speed limit provided in subsection 2 of

1 this section, if a higher or lower speed limit is recommended by
2 the department of transportation. The department of public
3 safety, where it believes for safety reasons, or to expedite the
4 flow of traffic a higher or lower speed limit is warranted, may
5 request the department of transportation to raise or lower such
6 speed limit, except that no speed limit shall be set higher than
7 seventy miles per hour.

8 4. Notwithstanding the provisions of section 304.120 or any
9 other provision of law to the contrary, cities, towns and
10 villages may regulate the speed of vehicles on state roads and
11 highways within such cities', towns' or villages' corporate
12 limits by ordinance with the approval of the state highways and
13 transportation commission. Any reduction of speed in cities,
14 towns or villages shall be designed to expedite the flow of
15 traffic on such state roads and highways to the extent consistent
16 with public safety. The commission may declare any ordinance
17 void if it finds that such ordinance is:

18 (1) Not primarily designed to expedite traffic flow; and

19 (2) Primarily designed to produce revenue for the city,
20 town or village which enacted such ordinance.

21 If an ordinance is declared void, the city, town or village shall
22 have any future proposed ordinance approved by the highways and
23 transportation commission before such ordinance may take effect.

24 5. The county commission of any county of the second, third
25 or fourth classification may set the speed limit or the weight
26 limit or both the speed limit and the weight limit on roads or
27 bridges on any county, township or road district road in the
28 county and, with the approval of the state highways and

1 transportation commission, on any state road or highway not
2 within the limits of any incorporated city, town or village,
3 lower than the uniform maximum speed limit as provided in
4 subsection 2 of this section where the condition of the road or
5 the nature of the area requires a lower speed. The commission
6 shall send copies of any order establishing a speed limit or
7 weight limit on roads and bridges on a county, township or road
8 district road in the county to the chief engineer of the state
9 department of transportation, the superintendent of the state
10 highway patrol and to any township or road district maintaining
11 roads in the county. After the roads have been properly marked
12 by signs indicating the speed limits and weight limits set by the
13 county commission, the speed limits and weight limits shall be of
14 the same effect as the speed limits provided for in subsection 1
15 of this section and shall be enforced by the state highway patrol
16 and the county sheriff as if such speed limits and weight limits
17 were established by state law.

18 6. The county commission of any county of the second,
19 third, or fourth classification may by ordinance set a countywide
20 speed limit on roads maintained by a county within any county,
21 township, or road district in the county and may establish
22 reasonable speed regulations for motor vehicles within the limit
23 of such county. No person who is not a resident of such county
24 and who has not been within the limits thereof for a continuous
25 period of more than forty-eight hours shall be convicted of a
26 violation of such ordinances, unless it is shown by competent
27 evidence that there was posted at the place where the boundary of
28 such county road enters the county a sign displaying in black

1 letters not less than four inches high and one inch wide on a
2 white background the speed fixed by such county so that such
3 signs may be clearly seen by operators and drivers from their
4 vehicles upon entering such county. The commission shall send
5 copies of any order establishing a countywide speed limit on a
6 county, township, or road district road in the county to the
7 chief engineer of the Missouri department of transportation, the
8 superintendent of the state highway patrol, and to any township
9 or road district maintaining roads in the county. After the
10 boundaries of the county roads entering the county have been
11 properly marked by signs indicating the speed limits set by the
12 county commission, the speed limits shall be of the same effect
13 as the speed limits provided for in subsection 1 of this section
14 and shall be enforced by the state highway patrol and the county
15 sheriff as if such speed limits were established by state law.

16 [6.] 7. All road signs indicating speed limits or weight
17 limits shall be uniform in size, shape, lettering and coloring
18 and shall conform to standards established by the department of
19 transportation.

20 [7.] 8. The provisions of this section shall not be
21 construed to alter any speed limit set below fifty-five miles per
22 hour by any ordinance of any county, city, town or village of the
23 state adopted before March 13, 1996.

24 [8.] 9. The speed limits established pursuant to this
25 section shall not apply to the operation of any emergency vehicle
26 as defined in section 304.022.

27 [9.] 10. A violation of the provisions of this section
28 shall not be construed to relieve the parties in any civil action

1 on any claim or counterclaim from the burden of proving
2 negligence or contributory negligence as the proximate cause of
3 any accident or as the defense to a negligence action.

4 [10.] 11. Any person violating the provisions of this
5 section is guilty of a class C misdemeanor, unless such person
6 was exceeding the posted speed limit by twenty miles per hour or
7 more then it is a class B misdemeanor.

8 473.730. 1. Every county in this state, and the city of
9 St. Louis, shall elect a public administrator at the general
10 election in the year 1880, and every four years thereafter, who
11 shall be ex officio public guardian and conservator in and for
12 the public administrator's county. A candidate for public
13 administrator shall be at least twenty-one years of age and a
14 resident of the state of Missouri and the county in which he or
15 she is a candidate for at least one year prior to the date of the
16 general election for such office. The candidate shall also be a
17 registered voter, and shall be current in the payment of all
18 personal and business taxes. Before entering on the duties of
19 the public administrator's office, the public administrator shall
20 take the oath required by the constitution, and enter into bond
21 to the state of Missouri in a sum not less than ten thousand
22 dollars, with two or more securities, approved by the court and
23 conditioned that the public administrator will faithfully
24 discharge all the duties of the public administrator's office,
25 which bond shall be given and oath of office taken on or before
26 the first day of January following the public administrator's
27 election, and it shall be the duty of the judge of the court to
28 require the public administrator to make a statement annually,

1 under oath, of the amount of property in the public
2 administrator's hands or under the public administrator's control
3 as such administrator, for the purpose of ascertaining the amount
4 of bond necessary to secure such property; and such court may
5 from time to time, as occasion shall require, demand additional
6 security of such administrator, and, in default of giving the
7 same within twenty days after such demand, may remove the
8 administrator and appoint another.

9 2. The public administrator in all counties, in the
10 performance of the duties required by chapters 473, 474, RSMo,
11 and 475, RSMo, is a public officer. The duties specified by
12 section 475.120, RSMo, are discretionary. The county shall
13 defend and indemnify the public administrator against any alleged
14 breach of duty, provided that any such alleged breach of duty
15 arose out of an act or omission occurring within the scope of
16 duty or employment.

17 3. After January 1, 2001, all salaried public
18 administrators shall be considered county officials for purposes
19 of section 50.333, RSMo, subject to the minimum salary
20 requirements set forth in section 473.742.

21 558.019. 1. This section shall not be construed to affect
22 the powers of the governor under article IV, section 7, of the
23 Missouri Constitution. This statute shall not affect those
24 provisions of section 565.020, RSMo, section 558.018 or section
25 571.015, RSMo, which set minimum terms of sentences, or the
26 provisions of section 559.115, RSMo, relating to probation.

27 2. The provisions of this section shall be applicable to
28 all classes of felonies except those set forth in chapter 195,

1 RSMo, and those otherwise excluded in subsection 1 of this
2 section. For the purposes of this section, "prison commitment"
3 means and is the receipt by the department of corrections of a
4 defendant after sentencing. For purposes of this section, prior
5 prison commitments to the department of corrections shall not
6 include commitment to a regimented discipline program established
7 pursuant to section 217.378, RSMo. Other provisions of the law
8 to the contrary notwithstanding, any defendant who has pleaded
9 guilty to or has been found guilty of a felony other than a
10 dangerous felony as defined in section 556.061, RSMo, and is
11 committed to the department of corrections shall be required to
12 serve the following minimum prison terms:

13 (1) If the defendant has one previous prison commitment to
14 the department of corrections for a felony offense, the minimum
15 prison term which the defendant must serve shall be forty percent
16 of his sentence or until the defendant attains seventy years of
17 age, and has served at least forty percent of the sentence
18 imposed, whichever occurs first;

19 (2) If the defendant has two previous prison commitments to
20 the department of corrections for felonies unrelated to the
21 present offense, the minimum prison term which the defendant must
22 serve shall be fifty percent of his sentence or until the
23 defendant attains seventy years of age, and has served at least
24 forty percent of the sentence imposed, whichever occurs first;

25 (3) If the defendant has three or more previous prison
26 commitments to the department of corrections for felonies
27 unrelated to the present offense, the minimum prison term which
28 the defendant must serve shall be eighty percent of his sentence

1 or until the defendant attains seventy years of age, and has
2 served at least forty percent of the sentence imposed, whichever
3 occurs first.

4 3. Other provisions of the law to the contrary
5 notwithstanding, any defendant who has pleaded guilty to or has
6 been found guilty of a dangerous felony as defined in section
7 556.061, RSMo, and is committed to the department of corrections
8 shall be required to serve a minimum prison term of eighty-five
9 percent of the sentence imposed by the court or until the
10 defendant attains seventy years of age, and has served at least
11 forty percent of the sentence imposed, whichever occurs first.

12 4. For the purpose of determining the minimum prison term
13 to be served, the following calculations shall apply:

14 (1) A sentence of life shall be calculated to be thirty
15 years;

16 (2) Any sentence either alone or in the aggregate with
17 other consecutive sentences for crimes committed at or near the
18 same time which is over seventy-five years shall be calculated to
19 be seventy-five years.

20 5. For purposes of this section, the term "minimum prison
21 term" shall mean time required to be served by the defendant
22 before he is eligible for parole, conditional release or other
23 early release by the department of corrections. Except that the
24 board of probation and parole, in the case of consecutive
25 sentences imposed at the same time pursuant to a course of
26 conduct constituting a common scheme or plan, shall be authorized
27 to convert consecutive sentences to concurrent sentences, when
28 the board finds, after hearing with notice to the prosecuting or

1 circuit attorney, that the sum of the terms results in an
2 unreasonably excessive total term, taking into consideration all
3 factors related to the crime or crimes committed and the
4 sentences received by others similarly situated.

5 6. (1) A sentencing advisory commission is hereby created
6 to consist of eleven members. One member shall be appointed by
7 the speaker of the house. One member shall be appointed by the
8 president pro tem of the senate. One member shall be the
9 director of the department of corrections. Six members shall be
10 appointed by and serve at the pleasure of the governor from among
11 the following: the public defender commission; private citizens;
12 a private member of the Missouri Bar; the board of probation and
13 parole; and a prosecutor. Two members shall be appointed by the
14 supreme court, one from a metropolitan area and one from a rural
15 area. All members of the sentencing commission appointed prior
16 to August 28, 1994, shall continue to serve on the sentencing
17 advisory commission at the pleasure of the governor.

18 (2) The commission shall study sentencing practices in the
19 circuit courts throughout the state for the purpose of
20 determining whether and to what extent disparities exist among
21 the various circuit courts with respect to the length of
22 sentences imposed and the use of probation for defendants
23 convicted of the same or similar crimes and with similar criminal
24 histories. The commission shall also study and examine whether
25 and to what extent sentencing disparity among economic and social
26 classes exists in relation to the sentence of death and if so,
27 the reasons therefor. It shall compile statistics, examine
28 cases, draw conclusions, and perform other duties relevant to the

1 research and investigation of disparities in death penalty
2 sentencing among economic and social classes.

3 (3) The commission shall establish a system of recommended
4 sentences, within the statutory minimum and maximum sentences
5 provided by law for each felony committed under the laws of this
6 state. This system of recommended sentences shall be distributed
7 to all sentencing courts within the state of Missouri. The
8 recommended sentence for each crime shall take into account, but
9 not be limited to, the following factors:

10 (a) The nature and severity of each offense;

11 (b) The record of prior offenses by the offender;

12 (c) The data gathered by the commission showing the
13 duration and nature of sentences imposed for each crime; and

14 (d) The resources of the department of corrections and
15 other authorities to carry out the punishments that are imposed.

16 (4) The commission shall publish and distribute its system
17 of recommended sentences on or before July 1, 1995. The
18 commission shall study the implementation and use of the system
19 of recommended sentences until July 1, 1998, and return a final
20 report to the governor, the speaker of the house of
21 representatives, and the president pro tem of the senate.
22 Following the July 1, 1998, report, the commission may revise the
23 recommended sentences every three years.

24 (5) The governor shall select a chairperson who shall call
25 meetings of the commission as required or permitted pursuant to
26 the purpose of the sentencing commission.

27 (6) The members of the commission shall not receive
28 compensation for their duties on the commission, but shall be

1 reimbursed for actual and necessary expenses incurred in the
2 performance of these duties and for which they are not reimbursed
3 by reason of their other paid positions.

4 (7) The circuit and associate circuit courts of this state,
5 the office of the state courts administrator, the department of
6 public safety, and the department of corrections shall cooperate
7 with the commission by providing information or access to
8 information needed by the commission. The office of the state
9 courts administrator will provide needed staffing resources.

10 7. If the imposition or execution of a sentence is
11 suspended, the court may consider ordering restorative justice
12 methods pursuant to section 217.777, RSMo, including any or all
13 of the following, or any other method that the court finds just
14 or appropriate:

15 (1) Restitution to any victim for costs incurred as a
16 result of the offender's actions;

17 (2) Offender treatment programs;

18 (3) Mandatory community services;

19 (4) Work release programs in local facilities; and

20 (5) Community-based residential and nonresidential
21 programs.

22 8. If the imposition or execution of a sentence is
23 suspended, in addition to the provisions of subsection 7 of this
24 section, the court may order the assessment and payment of a
25 designated amount of money to a county crime reduction fund
26 established by the county commission pursuant to section 50.565,
27 RSMo. Such contribution shall not exceed two hundred fifty
28 dollars for any charged offense. Any money deposited into the

1 county crime reduction fund pursuant to this section shall only
2 be expended pursuant to the provisions of section 50.565, RSMo.
3 County crime reduction funds shall be audited as are all other
4 county funds.

5 [7.] 9. The provisions of this section shall apply only to
6 offenses occurring on or after August 28, 1994.

7 559.021. 1. The conditions of probation shall be such as
8 the court in its discretion deems reasonably necessary to ensure
9 that the defendant will not again violate the law. When a
10 defendant is placed on probation he shall be given a certificate
11 explicitly stating the conditions on which he is being released.

12 2. In addition to such other authority as exists to order
13 conditions of probation, the court may order such conditions as
14 the court believes will serve to compensate the victim, any
15 dependent of the victim, or society. Such conditions may
16 include, but shall not be limited to:

17 (1) Restitution to the victim or any dependent of the
18 victim, in an amount to be determined by the judge; and

19 (2) The performance of a designated amount of free work for
20 a public or charitable purpose, or purposes, as determined by the
21 judge.

22 3. In addition to such other authority as exists to order
23 conditions of probation, in the case of a plea of guilty or a
24 finding of guilt, the court may order the assessment and payment
25 of a designated amount of money to a county crime reduction fund
26 established by the county commission pursuant to section 50.565,
27 RSMo. Such contribution shall not exceed two hundred fifty
28 dollars for any charged offense. Any money deposited into the

1 county crime reduction fund pursuant to this section shall only
2 be expended pursuant to the provisions of section 50.565, RSMo.
3 County crime reduction funds shall be audited as are all other
4 county funds.

5 [3.] 4. The defendant may refuse probation conditioned on
6 the performance of free work. If he does so, the court shall
7 decide the extent or duration of sentence or other disposition to
8 be imposed and render judgment accordingly. Any county, city,
9 person, organization, or agency, or employee of a county, city,
10 organization or agency charged with the supervision of such free
11 work or who benefits from its performance shall be immune from
12 any suit by the defendant or any person deriving a cause of
13 action from him if such cause of action arises from such
14 supervision of performance, except for an intentional tort or
15 gross negligence. The services performed by the defendant shall
16 not be deemed employment within the meaning of the provisions of
17 chapter 288, RSMo. A defendant performing services pursuant to
18 this section shall not be deemed an employee within the meaning
19 of the provisions of chapter 287, RSMo.

20 [4.] 5. The court may modify or enlarge the conditions of
21 probation at any time prior to the expiration or termination of
22 the probation term.

23 6. The defendant may refuse probation conditioned on a
24 payment to a county crime reduction fund. If he or she does so,
25 the court shall decide the extent or duration of sentence or
26 other disposition to be imposed and render judgment accordingly.
27 A judge may order payment to a crime reduction fund only if such
28 fund had been created prior to sentencing by ordinance or

1 resolution of a county of the state of Missouri. A judge shall
2 not have any direct supervisory authority or administrative
3 control over any fund to which the judge is ordering the
4 probationers to make payments. A defendant who fails to make a
5 payment or payments to a county crime reduction fund may not have
6 his probation revoked solely for failing to make such payment
7 unless the judge, after evidentiary hearing, makes a finding
8 supported by a preponderance of the evidence that the defendant
9 either willfully refused to make the payment or that the
10 defendant willfully, intentionally, and purposefully failed to
11 make sufficient bona fide efforts to acquire the resources to
12 pay.

13 644.581. In addition to those sums authorized prior to
14 August 28, 2004, the board of fund commissioners of the state of
15 Missouri, as authorized by section 37(e) of article III of the
16 Constitution of the state of Missouri, may borrow on the credit
17 of this state the sum of ten million dollars in the manner
18 described, and for the purposes set out, in chapter 640, RSMo,
19 and this chapter.

20 644.582. In addition to those sums authorized prior to
21 August 28, 2004, the board of fund commissioners of the state of
22 Missouri, as authorized by section 37(q) of article III of the
23 Constitution of the state of Missouri, may borrow on the credit
24 of this state the sum of ten million dollars in the manner
25 described, and for the purposes set out, in chapter 640, RSMo,
26 and in this chapter.

27 644.583. In addition to those sums authorized prior to
28 August 28, 2004, the board of fund commissioners of the state of

1 Missouri, as authorized by section 37(h) of article III of the
2 Constitution of the state of Missouri, may borrow on the credit
3 of this state the sum of twenty million dollars in the manner
4 described, and for the purposes set out, in chapter 640, RSMo,
5 and in this chapter.

6 [67.399. 1. The governing body of any
7 municipality contained wholly or partially within a
8 county with a population of over six hundred thousand
9 and less than nine hundred thousand may adopt an
10 ordinance as provided in this section. The ordinance
11 may establish a semiannual registration fee not to
12 exceed two hundred dollars which shall be charged to
13 the owner of any parcel of residential property
14 improved by a residential structure, or commercial
15 property improved by a structure containing multiple
16 dwelling units, that is vacant, has been vacant for at
17 least six months, and is characterized by violations of
18 applicable housing codes established by such
19 municipality.

20 2. The municipality shall designate a municipal
21 officer to investigate any property that may be subject
22 to the registration fee. The officer shall report his
23 findings and recommendations, and shall determine
24 whether any such property shall be subject to the
25 registration fee. Within five business days, the clerk
26 of the municipality shall notify by mail the owners of
27 property on which the registration fee has been levied
28 at their last known address according to the records of
29 the city and the county. The property owner shall have
30 the right to appeal the decision of the office to the
31 municipal court within thirty days of such
32 notification. Absent the existence of any valid appeal
33 or request for reconsideration pursuant to subsection 3
34 of this section, the registration fee shall begin to
35 accrue on the beginning of the second calendar quarter
36 after the decision of the municipal officer.

37 3. Within thirty days of the municipality making
38 such notification, the property owner may complete any
39 improvements to the property that may be necessary to
40 revoke the levy of the registration fee, and then may
41 request a reinspection of the property and a
42 reconsideration of the levy of the registration fee by
43 the municipality. If the municipal officer revokes the
44 registration fee, no such assessment shall be made and
45 the matter shall be considered closed. If the
46 municipal officer affirms the assessment of the
47 registration fee, the property owner shall have the

1 right to appeal the reconsideration decision of the
2 municipal officer to the municipal court within thirty
3 days of such decision. Absent the existence of any
4 valid appeal to the municipal court or other court of
5 competent jurisdiction, the registration fee shall
6 begin to accrue on the beginning of the second calendar
7 quarter after the reconsideration decision of the
8 municipal governing body.

9 4. The municipal governing body shall establish
10 by ordinance procedures for payment of the registration
11 fee and penalties for delinquent payments of such fees.
12 Any registration fees which are delinquent for a period
13 of one year shall become a lien on the property and
14 shall be subject to foreclosure proceedings in the same
15 manner as delinquent real property taxes. The owner of
16 the property against which the assessment was
17 originally made shall be able to redeem the property
18 only by presenting evidence that the violations of the
19 applicable housing code cited by the municipal officers
20 have been cured and presenting payment of all
21 registration fees and penalties. Upon bona fide sale
22 of the property to an unrelated party said lien shall
23 be considered released and the delinquent registration
24 fee forgiven.]

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Robert Johnson (47)